



पूर्व तट रेलवे/EAST COAST RAILWAY

मुख्य कार्मिक अधिकारी का कार्यालय/
Office of the Chief Personnel Officer
रेल सदन, द्वितीय तल, भुवनेश्वर- 751 017
Rail Sadan, IInd Floor, Bhubaneswar-751 017

स्थापना क्रमांक/ Estt. Srl. No. 41/2016
पूतरे/कार्मिक/आर/ ECoR/ Pers/R/Pension-4

RBE No.35/2016
दिनांक/Date: 27.04.2016

सेवा मे,
सभी प्रमुख विभागाध्यक्षों/समन्वयक विभागाध्यक्षों, पू त रे/भुवनेश्वर
मं.रे.प्र/व.मं.का.अधिकारी/मं.का.अधिकारी-खोरधारोड,वालातेरू, संबलपुर,
मु:कारखाना प्रबंधक/कारखाना कार्मिक अधिकारी- मंचेश्वर, अतिरिक्त रजिस्ट्रार/रेल दावा अधिकरण,
व.का अधिकारी(नि)/भुवनेश्वर
महा सचिव/इकोर श्र. कां., महा सचिव/इकोर श्र. यू.,
महा सचिव/एआई ओ बी सी आर ई ए, महा सचिव/ ए आई एस सी एस टी आर ई ए

विषय/ Sub: Revision of pension of pre-2006 pensioners-delinking of revised pension from
qualifying service of 33 years.

पूतरे के विषय क्रमांक/ECoR's Subject Serial No.-PS-6/2016

उपर्युक्त विषय पर बोर्ड पत्र सं F(E) III/2008/PN 1/12 दिनांक 13.04.2016 की प्रतिलिपि सूचना,
मार्गदर्शन एवं आवश्यक कार्रवाई हेतु अग्रेषित है।

A copy of the Board's letter No F(E)III/2008/PN 1/12 dated 13.04.2016 on the above quoted
subject is forwarded herewith for information, guidance and necessary action.

संलग्न/Encl: यथोक्त/As above,

(M. Ganga Bhavani)
Dy. Chief Personnel Officer(IR&W)
कृते मुख्य कार्मिक अधिकारी
For Chief Personnel Officer

प्रतिलिपि प्रेषित/Copy to : महाप्रबंधक के सचिव/पूर्व तट रेलवे, भुवनेश्वर

- 1) मुकाधि/मुकाधि(प्रशा.), उप म.प्र, अध्यक्ष(रेलवे भर्ती प्रकोष्ठ)
- 2) उप मुख्य प्रबंधक(सू.प्रौ), उप मुकाधि(औ.सं.एवं कल्याण), वकाधि(इंजी.)
- 3) वकाधि(मुख्या.), वकाधि(स्टाफ), वकाधि(राज. एवं न्याया.)मुकाधि के निजी सचिव/सहा.कार्मिक अधि.(मुख्या.-1),सहा.कार्मिक अधि.(कल्याण)

61 639
21/4/16

RB-824
#/SLNO.....
Date..... 18/4/16
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GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No. F(E)III/2008/PN1/12

New Delhi, Dated: 13.04.2016

✓
The GMs/FA&CAOs,
All Indian Railways/Production Units.
(As per mailing list)

East coast Railway, Bhubaneswar.


Subject: Revision of pension of pre-2006 pensioners - delinking of
revised pension from qualifying service of 33 years.

A copy of Department of Pension and Pensioners' Welfare(DOP&PW)'s O.M. No. 38/37/08-P&PW(A) dated 06.04.2016 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also.

2. A concordance of DOP&PW's instructions referred to in the enclosed O.M. and Railway Board's corresponding instructions is given below:

S.No.	DOP&PW's instructions	Railway Board's corresponding instructions.
1.	O.M. No. 38/37/08-P&PW(A) dated 01.09.2008	Letter of even number dated 08.09.2008
2.	O.M. No. 38/37/08-P&PW(A) dated 03.10.2008	Letter of even number dated 08.10.2008
3.	O.M. No. 38/37/08-P&PW(A) dated 28.01.2013	Letter of even number dated 11.02.2013
4.	O.M. No. 38/37/08-P&PW(A) dated 30.07.2015	Letter of even number dated 31.07.2015

3. Please acknowledge receipt.


(Sanjay Prashar)
Deputy Director, Finance (Estt.)III,
Railway Board.

No. 38/37/08-P&PW (A)
Government of India
Ministry of Personnel, PG & Pensions
Department of Pension & Pensioners' Welfare

3rd Floor, Lok Nayak Bhawan
Khan Market, New Delhi-110 003.
Dated the 06th April, 2016

OFFICE MEMORANDUM

Sub:- Revision of pension of pre-2006 pensioners – delinking of revised pension from qualifying service of 33 years.

The undersigned is directed to say that as per Para 4.2 of this Department's OM of even number dated 1.9.2008 relating to revision of pension of pre-2006 pensioners w.e.f. 1.1.2006, the revised pension w.e.f. 1.1.2006, in no case, shall be lower than 50% of the sum of the minimum of pay in the pay band and the grade pay thereon corresponding to the pre-revised pay scale from which the pensioner had retired. A clarification was issued vide DoP&PW OM of even number dated 3.10.2008 that the pension calculated at 50% of the minimum of pay in the pay band plus grade pay would be calculated at the minimum of the pay in the pay band (irrespective of the pre-revised scale of pay) plus the grade pay corresponding to the pre-revised pay scale.

2. Several petitions were filed in the Central Administrative Tribunal, Principal Bench, New Delhi inter alia claiming that the revised pension of the pre-2006 pensioners should not be less than 50% of the minimum of the pay band + grade pay, corresponding to the pre-revised pay scale from which pensioner had retired, as arrived at with reference to the fitment tables annexed to Ministry of Finance, Department of Expenditure OM No. 1/1/2008-IC dated 30th August, 2008. Hon'ble CAT, Principal Bench, New Delhi vide its common order dated 1.11.2011 in OA No.655/2010 and three other connected OAs directed to re-fix the pension of all pre-2006 retirees w.e.f. 1.1.2006 based on the Resolution dated 29.8.2008 of the Department of Pension & Pensioners' Welfare and in the light of the observations of Hon'ble CAT in that order.

3. Orders were issued vide this Department's OM of even number dated 28.1.2013 for stepping up of pension of pre-2006 pensioners w.e.f. 24.9.2012 to 50% of the minimum of pay in the pay band and grade pay corresponding to pre-revised pay scale from which the pensioner retired. Para 5 of this OM provides that in case the consolidated pension/family pension calculated as per para 4.1 of O.M. No.38/37/08-P&PW (A) dated 1.9.2008 is higher than the pension/family pension calculated in the manner indicated in the O.M. dated 28.1.2013, the same (higher consolidated pension/family pension) will continue to be treated as basic pension/family pension.

4. Subsequently, in compliance of the order dated 1.11.2011 of the Hon'ble CAT, Principal Bench in OA No. 655/2010, order dated 29.4.2013 of Hon'ble High Court of Delhi in WP (C) No. 1535/2012 and order dated 17.3.2015 of Hon'ble Supreme Court in SLP (C) No. 36148/2013, order were issued vide this Department's OM of even number dated 30.7.2015 that the pension/family pension of all pre - 2006 pensioners/family pensioners may be revised in accordance with this Department's O.M. No.38/37/08-P&PW(A) dated 28.1.2013 with effect from 1.1.2006 instead of 24.9.2012.

CP^o

5. In accordance with the order issued in implementation of the recommendation of the 6th CPC, the pension of Government servants retired/retiring on or after 1.1.2006 has been delinked from qualifying service of 33 years. In OA No. 715/2012 filed by Shri. M.O. Inasu, a pre-2006 pensioner, Hon'ble CAT, Ernakulam Bench, vide its order dated 16.8.2013 directed that the revised pension w.e.f. 1.1.2006 under para 4.2 of OM dated 1.9.2008 would not be reduced based on the qualifying service of less than 33 years. The appeals filed by Department of Revenue in the Hon'ble High Court of Kerala and in the Hon'ble Supreme Court have also been dismissed. Similar orders have been passed by Hon'ble CAT/High Court in several other cases also.


6. The matter has been examined in consultation with the Ministry of Finance (Department of Expenditure). It has now been decided that the revised consolidated pension of pre-2006 pensioners shall not be lower than 50% of the minimum of the pay in the Pay Band and the grade pay (wherever applicable) corresponding to the pre-revised pay scale as per fitment table without pro-rata reduction of pension even if they had qualifying service of less than 33 years at the time of retirement. Accordingly, Para 5 of this Department's OM of even number dated 28.1.2013 would stand deleted. The arrears of revised pension would be payable with effect from 1.1.2006.

7. Ministry of Agriculture, etc. are requested to bring the contents of these orders to the notice of Controller of Accounts/Pay and Accounts Officers and Attached and Subordinate Offices under them for revising the pension of all those pre - 2006 pensioners who had rendered less than 33 years of qualifying service at the time of retirement in the manner as indicated above on top priority. Revised Pension Payment Orders in all these cases may also be issued immediately.

8. All pension disbursing offices/banks are also advised to prominently display these orders on their notice boards for the benefit of pensioners.

9. This issues with the approval of Ministry of Finance, Deptt. of Expenditure vide ID Note No. 2(9)/EV/2015, dated 15.3.2016.

10. Hindi version will follow.


(Seema Gupta) 2016

Deputy Secretary to the Government of India

To

1. All Ministries/Departments of Government of India. (as per standard mailing list).
2. All SCOVA Members
3. All identified Pensioners Association

Copy to (i) NIC Cell for uploading on the website of the Department.
(ii) AD (OL), DoPPW for Hindi Version